

GOVERNMENT OF ANDHRA PRADESH
A B S R A C T

Social Welfare Department – Land Acquisition for House Sites –Vizianagaram District – Dibbaguddivalasa Village H/o Patha Bobbili, Bobbili Mandal - Land Acquired for provision of house sites to the weaker section people – Sanction of Rs.79,650/- towards balance decretal charges AS No.1140/2002 in OP No.74/88 – Orders- Issued.

SOCIAL WELFARE (LA.1) DEPARTMENT

G.O Rt.No. 558

Dated: 14.08.2013

Read the following

1. From the District Collector, Vizianagaram Lr. Rc.No 3526/2001/G1 Dated 12.05.2012.
2. From the CSW, A.P., Hyd Lr.No.LA3/808/2012, dt 01.6.2012.
3. From the Spl CS & CCLA, AP, Hyd Lr. No ; S2/ 488/2012, Dt. 27.04.2013.

ORDER:

In the reference 3rd read above, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has informed that the land measuring Ac.2.27 Cts in Sy.No.49/3 etc., situated at Dibbaguddivalasa (V), H/o Patha Bobbili, Bobbili Mandal of Vizianagaram District was acquired through an Award Procs. No. 1489/1985 dated 13.3.1988 of LAO/MRO, Bobbili for providing house sites to the weaker section, the LAO had fixed the land value @ Rs. 4500/- per acre. Aggrieved by the fixation of market value, the Claimants filed O.P No. 74/88 U/s 18 of LA Act before Hon'ble Sr. Civil Judge, Court, Bobbili and the Lower Court had issued orders dated 15.9.1999 is as follows:

1. That the claimants be and are hereby entitled to enhanced compensation at the rate of Rs.12,000/- per acre being the market value of the acquired lands.
2. That the claimants be and hereby entitled to additional market value at 12% p.a., from the date of publication of the Notification U/s 4(1) of the LA Act i.e., 05.02.1987 to till the date of Award i.e., 19.3.1988.
3. It is further ordered and decreed that the claimants are also entitled to Solatium at 30% on the enhancement market value.
4. That it is further ordered and decreed that the claimants are entitled to 9% p.a., interest on the enhanced market value of the acquired lands from the date of taking possession of the acquired lands i.e., 31.3.1988 until the expiration of one year i.e., by 30.3.1989.
5. Further the claimants are also entitled to interest at 15% p.a., on the enhanced market value of the acquired lands from 31.3.1989 till the LAO-Referring Officer deposits into Court the enhanced compensation or till the enhanced compensation is paid to the claimants by the LAO/Referring Officer.
6. It is further ordered and decreed that the claimants be and are hereby not entitled any interest on the additional market value or on the solatium.
7. That the claimants be and are hereby directed to pay the process fees to the Government as per rules.

2. The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has further stated that the land value ordered for payment is more than 50%. The LAO has filed AS No.1140/2002 against the orders in OP No. 74/88. The Hon'ble High Court, A.P., Hyderabad has dismissed the appeal filed by the LAO and confirmed the Lower Court order in AS No.1140/2002 dt 20.01.2011. The Government Pleader for Appeals, A.P., High Court has opined vide his Lr dated 9.8.2011 that, it is not fit case for filing an appeal. The District Collector, Vizianagaram has submitted proposals for sanction of Rs. 79,649/- towards payment of balance decretal charges in AS No.1140/2002 against the orders in O.P No. 74/88 for the lands acquired to an extent of Ac.2.27 Cts in Sy.No.49/3 etc., situated at Dibbaguddivalasa (V), H/o Patha Bobbili, Bobbili Mandal of Vizianagaram District for providing house sites to the weaker section.

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3. After verification/scrutiny of the calculation sheet submitted by the Commissioner of Social Welfare, A.P., Hyderabad/District Collector, Vizianagaram, The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad, has sent comparative calculation sheet for an amount of Rs. 79,650/- towards payment of balance decretal charges in AS No.1140/2002 against the orders in OP No. 74/88 for the lands acquired to an extent of Ac.2.27 Cts in Sy.No.49/3 etc., situated at Dibbaguddivalasa (V), H/o Patha Bobbili, Bobbili Mandal of Vizianagaram District for providing house sites to the weaker section.

3. Government, after careful examination of the above proposal, hereby accord permission to the Commissioner of Social Welfare, A.P., Hyderabad for release an amount of Rs. 79,650/- (Rupees seventy nine thousand six hundred and fifty only) to the District Collector, Vizianagaram towards payment of balance decretal charges in AS No.1140/2002 against the orders in OP No. 74/88 for the lands acquired to an extent of Ac.2.27 Cts in Sy.No.49/3 etc., situated at Dibbaguddivalasa (V), H/o Patha Bobbili, Bobbili Mandal of Vizianagaram District for providing house sites to the weaker section .

4. The expenditure sanctioned in para (3) above shall be met within the BE.2013-14 and debited to the following Head of Account:

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid”.

5. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary Proceedings to the District Collector, Vizianagaram to comply with the Court orders in OP No.8/94.

6. The District Collector, Vizianagaram shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions vide U.O Note No.12869/196/A1/Expr.SW/2009 dated 22.05.2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Chief Secretary & Chief Commissioner of Land Administration,
A.P., Hyderabad
The Commissioner of Social Welfare, A.P., Hyderabad,
The District Collector, Vizianagaram Copy to:
The Director of Treasury & Accounts, A.P., Hyderabad,
The Accountant General, A.P., Hyderabad,
The District Treasury Officer, Vizianagaram District.
Finance (Exp.SW/BG) Department
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER